United Nations E/AC.51/2016/L.4/Add.12

Economic and Social Council

Distr.: Limited
24 June 2016

Original: English

Committee for Programme and Coordination
Fifty-sixth session
31 May-24 June 2016
Agenda item 7
Adoption of the report of the Committee on its fifty-sixth session

Draft report

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Addendum

Proposed strategic framework for the period 2018-2019
(*Item 3 (b) (ii)*)

Programme 6
Legal affairs

1. At its 20th meeting, on 13 June 2016, the Committee considered programme 6, Legal affairs, of the proposed strategic framework for the period 2018-2019 (A/71/6 (Prog. 6) and Corr.1 and 2). The Committee also had before it a note by the Secretariat on the proposed strategic framework, contained in conference room paper E/AC.51/2016/CRP.1/Rev.1.

2. The Under-Secretary-General for Legal Affairs, Legal Counsel, introduced the programme and responded to queries raised during the Committee's consideration of the programme.

Discussion

3. Views were expressed in support and appreciation of the important work carried out by the Office of Legal Affairs. Delegations underscored the importance of the International Law Fellowship Programme and the regional courses in international law, as well as the dissemination of legal publications and information. In that regard, the usefulness of the Audiovisual Library of International Law was recognized. At the same time, emphasis was placed on the need to continue the dissemination of hard copies, in particular to lawyers in developing countries.

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4. Delegations noted the contribution of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law to the understanding of international law and emphasized the need for Member States to continue to support it, including by ensuring the continuation of stable funding so as to avoid any disruption of the Programme.

5. Reference was made to paragraph 6.10 in relation to the strategy of subprogramme 1, Provision of legal services to the United Nations system as a whole, stating that the Secretary-General, as the custodian of the Headquarters Agreement, should reinforce the implementation of the Agreement, in particular its article IV, section 11 and section 13 (a), governing the host country's legal obligation to grant entry visas to the officials of all Member States attending United Nations meetings. In that regard, a delegation expressed concern at repeated difficulties faced by some Member States in obtaining the necessary visas and information was sought on how the Office of Legal Affairs was dealing with the situation, including whether there existed any report on the matter. It was pointed out that there were no expected accomplishments or indicators of achievement that related to the implementation of the Agreement.

6. Also with regard to subprogramme 1, the view was expressed that the indicator of achievement needed to be refined, given that the way in which it was presented would not provide for comparison with data from previous periods. Clarification was requested on what the indicator, namely, "a high percentage of legal instruments are finalized in respect of the activities of the United Nations", was intended to measure. With regard to paragraphs 6.6 and 6.7, clarification was sought as to the specific quantities of legal advice and services that would be provided to principal and subsidiary organs of the United Nations.

7. With respect to subprogramme 3, Progressive development and codification of international law, the view was expressed that the strategic framework needed to include a narrative on cooperation between the Office of Legal Affairs and other legal institutions, including the international tribunals and the International Residual Mechanism for Criminal Tribunals in Arusha, United Republic of Tanzania, which contributed significantly to international peace and the rule of law. Information was sought on the substantive support provided to the International Law Commission, in particular what the Office of Legal Affairs was doing in the light of the recommendation of the Fifth Committee in December 2015 that the financial requirements of the Commission emanating from the work of its sixty-seventh session had to be absorbed (see A/C.5/70/L.17, sect. F). With regard to indicator of achievement (b) (ii), replacing "end users" of legal publications, documents and information with "beneficiaries", especially from developing nations, was suggested. Furthermore, clarification was sought as to the role of and measures being taken by the Office to increase the access of developing countries to the Audiovisual Library of International Law.

8. Regarding subprogramme 4, Law of the sea and ocean affairs, the ongoing efforts of the Office of Legal Affairs were welcomed and commended. Clarification was sought on the implementation of General Assembly resolution 70/235 on oceans and the law of the sea and the steps that the Office was taking towards meeting the ocean-related goals of the 2030 Agenda for Sustainable Development, including whether any additional initiatives were planned. Questions were raised regarding the

efforts made to reprioritize its work to implement the 2030 Agenda within existing resources.

9. Concerning subprogramme 5, Progressive harmonization, modernization and unification of the law of international trade, the view was expressed that, while providing useful information, indicator of achievement (a) (i), increased number of legislative decisions (ratifications and national enactments), did not measure achievements of the Secretariat but rather those of Member States. The view was also expressed that the indicators under expected accomplishment (a) should have reflected the improved timeliness in legislative decisions rather than the increase in the number of legislative decisions.

10. With regard to subprogramme 6, Custody, registration and publication of treaties, the view was expressed that consideration should be given to making all agreements available online, including texts identified as being "for limited publication". Clarification was also sought as to the relevant mandate for the Treaty Section's computerization programme, as outlined in paragraph 6.31, notably the new treaty reporting tools and the mobile-friendly website.

Conclusions and recommendations

11. The Committee recommended that the General Assembly approve the programme narrative of programme 6, Legal affairs, of the proposed strategic framework for the period 2018-2019, subject to the following modifications:

Subprogramme 1

Provision of legal services to the United Nations system as a whole

Indicators of achievement

Replace the existing indicator of achievement with the following: "(i) Maintenance of high percentage of legal instruments finalized in respect of the activities of the United Nations".

Add a new indicator of achievement (a) (ii), reading "Number of pieces of advice on questions relating to the interpretation and application of the Charter, legal agreements, United Nations resolutions and general questions of public international law to ensure uniform and consistent practice of the law".

Subprogramme 3

Progressive development and codification of international law

Indicators of achievement

Replace the existing indicator of achievement (b) (ii) with the following: "Increasing number of end users of legal publications, training materials, documents and information disseminated in hard copy and online in various languages, in accordance with current practice".

Add a new indicator of achievement (b) (iv), reading "Increased number of beneficiaries of the training and fellowship programmes".

Add a new indicator of achievement (b) (v), reading "Timely issuance of legal publications, including hard copies, in accordance with current practice".

Add a new indicator of achievement (b) (vi), reading "Increased number of Audiovisual Library of International Law users in developing countries".

Subprogramme 4

Law of the sea and ocean affairs

Indicators of achievement

In indicator b (ii), delete "and the implementation of the oceans-related goals of the 2030 Agenda for Sustainable Development".

Strategy

Paragraph 6.19

Delete ", and the implementation of the oceans-related goals of the 2030 Agenda for Sustainable Development".